

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:22CR721
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	
)	
ISAAC WOOLLEY,)	<u>GOVERNMENT’S MOTION</u>
)	<u>FOR EXTENSION OF TIME TO</u>
Defendant.)	<u>CONDUCT 18 U.S.C. § 4243(C)</u>
)	<u>HEARING</u>

The United States of America, through its counsel, Carol M. Skutnik, Acting United States Attorney, and Brian S. Deckert and Daniel J. Riedl, Assistant United States Attorneys, hereby respectfully moves this Court, pursuant to 18 U.S.C. § 4247(b) for an extension of time in which to conduct an 18 U.S.C. § 4243(c) hearing.

On February 7, 2025, this Court issued a special verdict in this matter finding Defendant Not Guilty only by Reason of Insanity. The Court issued an order committing Defendant to the custody of the Bureau of Prisons (“BOP”) for psychiatric or psychological treatment and evaluation pursuant to 18 U.S.C. § 4243(a). (R. 43: Order, PageID 245-46). A hearing was scheduled for March 17, 2025, at 2:00 p.m. and BOP was directed to file a motion if additional time was necessary.

The Government contacted BOP on March 11, 2025, to determine Defendant’s status and ask whether a report would be forthcoming. Government’s counsel learned that Defendant was at FCI Lewisburg in Pennsylvania. Government’s counsel called FCI Lewisburg and learned that Defendant was designated on February 28, 2025, to FMC Devens in Massachusetts for his evaluation. Defendant arrived at FCI Lewisburg on March 10, 2025, and had yet to be

transported to FMC Devens. The Defendant's status was listed as "in transit" prior to his arrival at FCI Lewisburg. On March 13, 2025, Government's counsel communicated with the assigned examiner at FMC Devens, Dr. Diana Hamilton, and informed her of the pending hearing date, sent her this Court's order, and requested that the facility seek an extension of time. Government's counsel was informed that once Defendant arrives at FMC Devens, a report would be made to the Court and a request for additional time would be made.

It appears that Defendant has not yet arrived at FMC Devens because, as of the date of this motion, the BOP "inmate locator" lists Defendant as being at FCI Lewisburg. It therefore does not appear that the report will be available for the March 17, 2025, hearing, or that Defendant will be back in the district to attend the hearing.¹ For these reasons, the Government is making a request for an additional 30 days pursuant to 18 U.S.C. § 4247(b) in order to allow sufficient time for Defendant's evaluation to be conducted, for receipt of the report, and for Defendant to be returned to the Northern District of Ohio. Government's counsel makes this request not to hinder or delay justice, but to ensure that the ends of justice are properly served, as

¹ The proper remedy for a hearing not occurring during the prescribed time limit is not release, but rather to allow for more time to conduct the evaluation as release "would compromise the intent of the statute." *United States v. Bohe*, 2005 WL 1026701 (ND Dist.) *2; *See also United States v. Conrad*, 776 F.3d 253 (4th Cir. 2015).

there is good cause to find that additional time is necessary to observe and evaluate Defendant pursuant to the Court's order.

Respectfully submitted,

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Acting United States Attorney

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